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**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING  
REJECTION OVER A "PRIOR" PATENT**

Docket Number (Optional)

501.37526CX1

In re Application of: K. SAKAMOTO, et al

Application No.: 10/614,134

Filed: July 8, 2003

For: VPN COMPOSING METHOD, INTERWORK ROUTER, PACKET COMMUNICATION METHOD DATA  
COMMUNICATION APPARATUS, AND PACKET REPLAYING APPARATUS

The owner, HITACHI, LTD., (as per the Assignment recorded on Reel 010237 and Frame 0146) of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 6,633,571 as the term of said prior patent is defined in 35 USC 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 USC 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later:

- expires for failure to pay a maintenance fee;
- is found invalid by a court of competent jurisdiction;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- has all claims canceled by a reexamination certificate;
- is issued; or
- is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record.

Reg. No. 29,621  
SignatureJuly 14, 2006  
DateCarl L. Brundage  
Typed or printed name703) 684-1120  
Telephone number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

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\*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).  
Form PTO/SB/96 may be used for making this certification. See MPEP §324.

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to be (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 10 minutes to complete, including gathering, preparing, and submitting the information application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop 800, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Date: July 14, 2006

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To: Examiner D. Levitan  
Group Art Unit 2662, USPTO

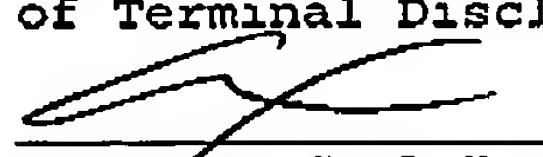
From: Mr. Carl I. Brundidge  
MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.

Re: USSN 10/614,134  
Attorney Docket No.: 501.37526CX1

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that the following listed documents are being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

SUBMISSION OF TERMINAL DISCLAIMER WITH ATTACHED Terminal Disclaimer;  
CREDIT CARD PAYMENT FORM in the amount of \$130.00 in payment of Terminal Disclaimer filing fee

  
\_\_\_\_\_  
Attorney Carl I. Brundidge  
Reg. No. 29,621

July 14, 2006  
\_\_\_\_\_  
Date

Total Number of Pages (including cover sheet): 4

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501.37526CX1

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: K. SAKAMOTO, et al

Serial No.: 10/614,134

Filed: July 8, 2003

For: VPN COMPOSING METHOD, INTERWORK ROUTER, PACKET  
COMMUNICATION METHOD, DATA COMMUNICATION  
APPARATUS, AND PACKET RELAYING APPARATUS

Group: 2662

Examiner: D. Levitan

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**SUBMISSION OF TERMINAL DISCLAIMER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

July 14, 2006

Sir:

Attached is a Terminal Disclaimer submitted in an effort to place this  
application in condition for allowance.

Accordingly, early allowance of claims 2-19 and 21-23 is respectfully  
requested.

To the extent necessary, applicants petition for an extension of time under 37  
C.F.R. §1.136. Please charge any shortage in the fees due in connection with the  
filing of this paper, including extension of time fees, to Deposit Account No. 50-1417  
(Case No. 501.36148CX2) and please credit any excess fees to such Deposit  
Account.

Respectfully submitted,



Carl I. Brundidge  
Registration No. 29,621  
MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.

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703/684-1120